

Staff Summary Report



Council Meeting Date: 12/04/03

Agenda Item Number: _____

SUBJECT: This is the second public hearing to abandon an easement for ingress and egress located at 1001 East Lemon Street.

DOCUMENT NAME: 20031204PWMG06 EASEMENT ABANDONMENT (0904-02)
ORDINANCE NO. 2003.33

SUPPORTING DOCS: Yes

COMMENTS: University Properties has requested this abandonment to alleviate the public right of way through what is to become a private covered parking area for their tenants. Access is available for services at other locations and is to be dedicated on a recorded plat.

PREPARED BY: CAROL MARTSCH, SR. ENGINEERING ASSOCIATE (x8524)

REVIEWED BY: ANDY GOH, DEPUTY PW MANAGER/CITY ENGINEER (x8896)

LEGAL REVIEW AS TO FORM: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Adopt Ordinance No. 2003.33 and authorize the Mayor to execute any necessary documents.

Approved by Glenn Kephart, Public Works Manager

ORDINANCE NO. 2003.33

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, ABANDONING A 20-FOOT EASEMENT FOR ROADWAY AND INGRESS EGRESS AS RECORDED IN DOCUMENT NO. 4824, PAGE 560, MARICOPA COUNTY RECORDS, MARICOPA COUNTY, ARIZONA, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP ONE NORTH, RANGE 4 EAST, G&SRB&M.

WHEREAS, it has been determined by the City Council of the City of Tempe that a 20-foot public easement is no longer required by the City for use as such; and,

WHEREAS, it would appear to be in the best interest of the City of Tempe to abandon said easement, and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION I. That the City of Tempe does hereby abandon, relinquish and vacate a 20-foot public easement described and shown in Exhibits "A" and "A-1" hereto attached.

SECTION II. That all rights of the City in the portion of the easement to be abandoned shall vest in the record owner(s) and shall be subject to the same encumbrances, liens, limitations, restrictions, and estates as exist on the land of which the land is a part.

Ordinance No. 2003.33

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SECTION III: The Mayor is hereby authorized to execute any documents that may be necessary to carry out the provisions of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE,

ARIZONA this _____ day of _____, 2003.

Mayor

ATTEST:

City Clerk